

IC 6-1.1-12.2

Chapter 12.2. Deduction for Aircraft

IC 6-1.1-12.2-1

Application of chapter

Sec. 1. This chapter applies only to the following:

- (1) Aircraft that:
 - (A) have a seating capacity of not more than ninety (90) passengers;
 - (B) are used in the air transportation of passengers or passengers and property; and
 - (C) are owned or operated by a person who is:
 - (i) an air carrier certificated under Federal Air Regulation Part 121; or
 - (ii) a scheduled air taxi operator certified under Federal Air Regulation Part 135.
- (2) Aircraft that:
 - (A) are used to transport only property, regardless of whether the aircraft is operated as a common carrier for compensation; and
 - (B) are owned or operated by a person who is:
 - (i) an air carrier certificated under Federal Air Regulation Part 121; or
 - (ii) a scheduled air taxi operator certified under Federal Air Regulation Part 135.

As added by P.L.224-2003, SEC.180.

IC 6-1.1-12.2-2

"Abatement property"

Sec. 2. As used in this chapter "abatement property" refers to aircraft described in section 1 of this chapter.

As added by P.L.224-2003, SEC.180.

IC 6-1.1-12.2-3

"Aircraft"

Sec. 3. As used in this chapter, "aircraft" has the meaning set forth in 49 U.S.C. 40102.

As added by P.L.224-2003, SEC.180.

IC 6-1.1-12.2-4

"Air transportation"

Sec. 4. As used in this chapter, "air transportation" means transportation of passengers or property by aircraft as a common carrier for compensation.

As added by P.L.224-2003, SEC.180.

IC 6-1.1-12.2-5

"Business entity"

Sec. 5. As used in this chapter, "business entity" refers to a corporation (as defined in IC 6-3-1-10) or partnership (as defined in

IC 6-3-1-19).

As added by P.L.224-2003, SEC.180.

IC 6-1.1-12.2-6

"Indiana corporate headquarters"

Sec. 6. As used in this chapter, "Indiana corporate headquarters" means a physical presence in Indiana of a domestic business entity that results in Indiana being the regular or principal place of business of its chief executive, operating, and financial officers.

As added by P.L.224-2003, SEC.180.

IC 6-1.1-12.2-7

"Subsidiary"

Sec. 7. As used in this chapter, "subsidiary" means a business entity in which another business entity with an Indiana corporate headquarters has at least an eighty percent (80%) ownership interest.

As added by P.L.224-2003, SEC.180.

IC 6-1.1-12.2-8

"Taxpayer"

Sec. 8. As used in this chapter, "taxpayer" means a business entity that:

- (1) has an Indiana corporate headquarters; or
- (2) is a subsidiary of a business entity with an Indiana corporate headquarters;

and that is liable under IC 6-1.1-2-4, as applied under IC 6-1.1-3 or IC 6-1.1-8, for ad valorem property taxes on abatement property.

As added by P.L.224-2003, SEC.180.

IC 6-1.1-12.2-9

Deduction

Sec. 9. A taxpayer is entitled to a deduction from the assessed value of abatement property in each year in which the abatement property is subject to taxation for ad valorem property taxes.

As added by P.L.224-2003, SEC.180.

IC 6-1.1-12.2-10

Deduction amount

Sec. 10. The amount of the deduction is equal to one hundred percent (100%) of the assessed value of the abatement property.

As added by P.L.224-2003, SEC.180.

IC 6-1.1-12.2-11

Deduction includes property taxes

Sec. 11. The deduction includes ad valorem property taxes calculated using aircraft ground times.

As added by P.L.224-2003, SEC.180.

IC 6-1.1-12.2-12

Qualification for deduction

Sec. 12. To qualify for the deduction, the taxpayer must claim the deduction, in the manner prescribed by the department of local government finance, on the taxpayer's personal property tax return filed under IC 6-1.1-3 or IC 6-1.1-8 (or an amended return filed within the time allowed under this article) for the abated property to which the deduction applies.

As added by P.L.224-2003, SEC.180.